

S.B. Cr. Bail Application No. 5548/2007
(Kishan Singh Vs. State of Rajasthan)

Date of order : 19.11.2007

HON'BLE MR.H.R.PANWAR,J.

Mr. R.S.Chundawat for the petitioner.

Mr. Ashok Upadhhay, P.P.

Heard learned counsel for the petitioner and public prosecutor for the State. Perused the order impugned. I have carefully gone through the statement of prosecutrix.

The prosecutrix in her statement on oath before the Judicial Magistrate, categorically stated that the petitioner committed rape on her threatening her pointing out the gun and on raising cries by her, persons came and rescued her.

In view of the statement of the prosecutrix, there is serious allegation of rape against the present petitioner, and therefore, in my view, it is not a fit case to release the petitioner on bail at this stage. The bail application filed by the petitioner under Section 439 Cr.P.C. is therefore, dismissed. However, it will be open for the petitioner to move a fresh bail application after the statement of prosecutrix is recorded.

(H.R.PANWAR), J.

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